

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK
ZAPOINT, INC.,

Plaintiff,

v.

SOVEREIGN BANK,

Defendant.

Docket No. 11-cv-4241 (BMC)

**NOTICE OF AVAILABILITY OF A UNITED STATES
MAGISTRATE JUDGE TO EXERCISE JURISDICTION**

Exercise of this jurisdiction by a magistrate judge is permitted only if all parties voluntarily consent. If any party withholds consent, the identity of the parties consenting or withholding consent will not be communicated to any magistrate judge or to the district judge to whom the case has been assigned. An appeal from a judgment entered by a magistrate judge shall be taken directly to the United States Court of Appeals for the Second Circuit in the same manner as an appeal from any other judgment of this district court.

**CONSENT TO THE EXERCISE OF JURISDICTION
BY A UNITED STATES MAGISTRATE JUDGE**

In accordance with provisions of 28 U.S.C. § 636(c) and Fed.R.Civ.P. 73, the parties in this case consent to have a United States Magistrate Judge conduct any and all proceedings in this case, including the trial, order the entry of a final judgment, and conduct all post-judgment proceedings.

Date: New York, New York
October 22, 2011

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So Ordered: 10/24/11

s/ BMC

U.S.D.J.